

The office action further states that although Tetsuya does not show that the sealant is disposed in a pattern with at least one break in the pattern, wherein the at least one break in the pattern remains after the substrate and the lid are assembled together, Yukihiro shows a sealant 4 that is disposed in a pattern with at least one break 5 in the pattern, wherein the at least one break in the pattern remains after the substrate 11 and the lid 1 are assembled together. (Office action dated 10/01/04, page 3, numbered paragraph 5)

Although the office action refers to applicants' claims 1 and 13 in regards to the above cited rejection, applicants' assume the examiner meant to reference applicants' claims 1 and 23. Therefore, applicants' have responded as though the examiner intended to address applicants' claims 1 and 23 in this rejection.

Applicants respectfully disagree that the combination of Tetsuya and Yukihiro shows what the office action asserts it as showing.

Upon examination of the apparatus shown in Yukihiro, it is evident that the solder (sealant) 4 as disposed upon the lid 1 forms a continuous, unbroken pattern on the lid. At no point along the deposited pattern is there found a break, that is, a portion of the pattern at which no sealant at all is deposited. Into the sealant of Yukihiro are formed recesses 5 which intrude only partly into the sealant from the side opposite the lid 1. These clearly do not constitute a break in the deposited sealant; rather they form an area in the sealant pattern where the thickness of the deposited sealant is only reduced. Support for understanding Yukihiro thusly is found in Fig. 3 of Yukihiro, which clearly shows deposited sealant present between the recess and the lid contiguous with the rest of the sealant pattern. Support is also found in the translated abstract, which recites in part, "A

solder layer 4 formed on a lid 1 for sealing a package body 11 has a recessed part 5 that serves as a gas flowing path...[g]as expanding at soldering in the package is discharged through the recessed part 5 to the outside.” Because the combination of Tetsuya with Yukihiro does not disclose the limitation of a sealant that is disposed in a pattern with at least one break in the pattern recited in applicants’ independent claims 1 and 23, the combination fails to disclose applicants’ invention.

Therefore, applicants respectfully submit that the U.S.C. §103(a) rejection of claims 1 and 23 is improper and should be withdrawn. In as much as rejected claims 2-3 and 5-13 depend from independent claim 1, and claims 25-27 depend from independent claim 23, applicants respectfully submit that the rejection of these claims should likewise be withdrawn.

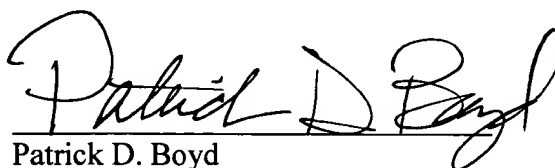
CONCLUSION

In light of the points and arguments set forth herein, applicants respectfully submit that the rejections have been properly overcome, and the claims are allowable as previously presented.

Please charge any shortages and credit any overages to Deposit Account No. 02-2666.

Respectfully submitted,

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